

### Colby Pays \$10,000 to Settle Justice Suit

William Colby, former CIA director and author of "Honorable Men: My Life in the CIA" (Simon & Schuster), has settled out of court with the government over a publishing incident involving his book.

Colby agreed December 28 to pay the U.S. Treasury \$10,000 to settle the dispute over the publication of a French version of his book without the deletions that the CIA had ordered during a review of the manuscript.

Although Colby's book was published in 1978, it wasn't until after the U.S. Supreme Court decision in another CIA-induced case, against agent-turned-author Frank Snepp, that the Justice Department's civil division brought the action against Colby. Colby had signed the same contract that Snepp had signed—to allow prepublication review by the CIA.

During testimony before a congressional subcommittee last year, Colby explained the incident that led to the suit: "I sent a draft to the agency and to the publisher (Simon & Schuster, in August, 1977) with a note that the agency was going to review it and that there probably would be some alterations we would have to make before publishing.

They had arranged with the French publishers who wanted the material quickly, so they Xeroxed it and sent it. When the agency negotiated changes, I passed them to my publisher to edit from the manuscript. He did, but forgot to pass them along to the French."

After the Supreme Court ruled in 1980 that the CIA was within its rights in requiring prepublication review of manuscripts of current and former agents, the Justice Department, at the CIA's urging, brought action against several authors. Most of the cases have been settled by allowing CIA review or by making restitution. More than \$120,000 in royalties Snepp earned from "Decent Interval" (Random House), which started the issue, have been turned over to the Treasury.

The agreement, which the Justice Department termed, "full and complete," has five parts. The government would not prosecute Colby; any review it made of a Colby manuscript would be completed within 30 days; Colby would submit all future writings for review, including texts of speeches that relate to the CIA; Colby would not contest "his obligation to abide by the CIA policy statements or regulations on prepublication review"; and Colby would pay.

H.F.

# Colby defends secrecy

## Ex-CIA chief: Democracy needs spies

By Linda Goldston  
Staff Writer

When former CIA Director William Colby gave a talk recently, he was asked if the United States shouldn't assassinate Libyan leader Col. Moammar Khadafy.

Colby, who said he doesn't "believe in assassinations anyway," saw the incident as "a rather interesting reflection of the difference of the world of today."

"Five years ago, we were quite horrified that we may have done something against them," he said.

Colby told the story to a few reporters at the University of Santa Clara on Monday and used the same sort of analogy in describing the CIA "of the old days" and the CIA of today.

### No control

"For the first 20-odd years of its existence, the thought was that it (the CIA) should not be controlled," he said, "but there's a contradiction there between the old idea of a little spy service operating totally at the president's or the king's or



Jim Geiger — Mercury

### William Colby compared the 'old days' with CIA today

the premier's knee and the concept of the modern American intelligence service."

Sooner or later, Colby said, the contradiction had to be resolved, "and I think we resolved it in the worst possible way, with lots of histrionics and sensationalism and recriminations, but resolve them we have."

Now, "we have applied our system of constitutional checks and balances to intelligence," said Col-

by, who was CIA director from 1973 until he was fired by President Ford in 1976. The checks and balances he cited included "a public document that says what intelligence will do," having a clear chain of accountability and having two committees of Congress "entitled to know the secrets."

"We even have a special court which reviews applications by the intelligence service for such things

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zens even when they go abroad," he said.

Colby defended the need for secret intelligence-gathering by the United States.

"We have lots of secrets in America," he said, "secrets of the ballot box, secrets of the jury system and secrets of all the other things. Why? Because democracy won't work without those secrets." By the same token, he said, "Democracy won't work without some secret intelligence-gathering in the world in which we live.

"The question is not whether you have secrets, because we have lots of them. The question is how you control the organization that has those secrets."

When asked about former CIA agents Edwin P. Wilson and Francis E. Terpil, indicted last year for illegally exporting arms to Libya, Colby said such incidents have to be put into perspective.

"Out of the tens of thousands of people who have gone through the CIA in the last 30-odd years, and it really is in the tens of thousands, there have been a few bad apples," he said. "I certainly think Wilson and Terpil are bad apples. I also think William Agee is a bad apple."

Agee, a former agent, is a harsh critic of the agency, who lives abroad to avoid prosecution for revealing the names of agents and writing without advance CIA approval.

Despite that, Colby said he believes present laws are adequate to deal with the problems presented by former CIA agents committing crimes.

cover the kinds of problems these people have presented," he said. "Now, the fact you're not able to capture them is a limitation of our legal system, but it isn't limited to CIA people. It's applicable also to murderers and bank robbers and everything else. If you can't get your jurisdiction, you don't send a hit squad after them."

In fact, Colby said he hoped Agee doesn't "step in front of a truck someday, because you know who will be blamed for doing it."

Agee's "continued good health or moderate health is a reflection that we're not the kind of organization people sometimes say we are, because if there's a candidate for retribution, he's it."

However, Colby said, "the remarkable thing" about the CIA "is how few bad apples there have been."

Colby described the threat of the Soviets and others trying to obtain American technology as "a matter of concern, but it's not a matter of total panic."

"Efforts by the Soviets to get a free ride on our technology are much there," he said.

Preventing such free rides "is a difficult challenge," Colby said. "You have to seek some reasonable way of reacting to a reasonable problem and not say it's all or nothing. We don't want to close up the whole industry and say it can't go outside the United States."

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FOR PUBLIC AFFAIRS STAFF

STATINTL

PROGRAM Frank Terpil: Confessions  
of a Dangerous Man

STATION WETA  
PBS

DATE January 11, 1982 9:00 PM

CITY Wash

SUBJECT Full Text

STATINTL

DANIEL SCHORR: Tonight, the story of an American, Frank Terpil, who 16 months ago fled from a 53 year prison term for supplying arms to terrorists. He tells his story from Beirut.

Good evening. I'm Daniel Schorr.

Terrorism looms in our era as a greater threat than war. It causes world leaders, including President Reagan, to live in suffocating cocoons of security. Terrorism operates from safe havens, like Libya. Colonel Qaddafi's oil wealth buys the instruments of terror and the know-how to use them. Some of that comes from this country, American know-how at the service of America's enemies.

Veterans of America's clandestine wars have turned to selling their skills and contacts in the marketplace of violence. Profiting from terror without suffering qualms takes a certain mentality. In the next 90 minutes, you will get to know one of the merchants of terror more intimately than has ever been possible before.

NARRATOR: On the morning of Monday, December the 22nd, 1979, undercover detective Nicky Grillo reached the 27th floor of this New York hotel. On that morning, he was wearing a waiter's uniform borrowed from Forlini's restaurant. He entered this room. Inside was a squad under Detective Sergeant Merv Woike (?).

MERV WOIKE: I was here that day with Sergeant Rosenzweig and six detectives. We brought all the equipment we thought we would need for that day, which included four shotguns. We also

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# National Security and the Competition for Influence in the Third World

by William E. Colby

WHEN WE THINK of our nation's security over the next 10 to 20 years, the military threats that face us are obvious. It is not news that we dropped our defenses over the past 15 years. To carry a \$25-\$30 billion-a-year war in Vietnam on a constant defense budget, we sacrificed the normal replacement and growth of other weapon systems. And we arrived at the end of the 1970s somewhat behind the curve.

We particularly allowed our conventional forces to atrophy. We had a great national rejection of military service after the Vietnam affair and we turned to the volunteer army, which has substantial weaknesses. But the Soviets, even though they didn't have a war to fight during these years, spent an additional 3% to 4% of their GNP every year building their forces, especially their nuclear forces. Thus today, the most optimistic person feels that they have reached essential equivalence with us in these terrible weapons. But even the most optimistic person can't talk about equivalence when we talk about conventional military forces. Admiral Gorshkoff began to develop some years ago a little coastal defense force to today's Soviet blue ocean navy present in the Atlantic, Pacific, and Indian oceans.

The Soviet tactical air force, which used to consist of a couple of wings tied together with twine and a bomb slung underneath it, now is a very effective tactical air force in Eastern Europe which more than matches ours in numbers, if not yet in quality.

Most importantly, the Soviet army has modernized and increased its forces—partly to meet the Chinese problem as well as increase the amount of force that they can manipulate and use against the Western front and NATO.

So it's clear that we do and will face a very substantial military threat from the Soviet Union.

## Other Threats

We must also worry about other military forces in the world and their potential for use against our allies and our interests, if not ourselves. China, with a billion in population, is determined now to modernize not only its agriculture, industry, and science, but also its military forces.

But I look beyond the *military* threats to our national security: we have *political* threats, as well. The political threat to our alliance arises when 200,000 young people gather in Bonn to denounce any kind of nuclear activity by the American side of the equation. Of all the obscene things in the world, people are protesting the

American presence in Berlin right in front of the awful wall which is representative of the alternative. Dangers are also arising within many of our allied nations—from fundamentalist Islamists who reject modernism and wish to march resolutely into the 13th Century—to the ethnic and regional differences that divide countries formerly cooperative.

These ethnic differences appear not only in the Arab-Israeli-Palestinian problem, but also in many other areas around the world affecting relationships we've had with countries such as Spain.

There are also *economic* dangers:

- We've seen our energy sources cut off and others raised in cost.

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**Today the most optimistic person feels that [the USSR has] reached essential equivalence with us in these terrible weapons. But even the most optimistic person can't talk about equivalence when we talk about conventional military forces.**

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- We've seen our people line up in gas lines.
- We've seen the impact of high interest rates which now threaten the financial relationships of the developed world; and
- We've seen trade protectionism beginning to rise, with threats of unemployment, and continuing inflation problems.

But all these dangers—the military, the political, and the economic threats—are comparatively understandable and manageable.

My major concern is with what we might call the *sociological* threat to our national security. Some three-quarters of earth's humanity now live in the so-called Third World, where 600 to 800 million people live in absolute hunger and poverty. It's expected that the present four and a half billion population of the world will increase to about seven or eight billion in the next 20 or 30 years.

As a result, pressures on food and on livelihood will continue to increase. This creates a sense of frustration as the people of these lands look at the enormous gap between their problems and our affluence. They look at us with feelings of envy; frustration, hostility, and bitterness,

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as they see this gap increasing between our two societies.

They then look around for tools and weapons to secure what they think would be a more equitable division of the world's wealth, so that the favored of the world will not live in oligarchic splendor compared with the unfortunates who live in squalor. Some of them look for economic weapons to achieve a better balance of the world's wealth through embargo, cartel, boycott; trying to find economic weapons to alter the way the world has distributed wealth to date.

Was it a good idea for President Reagan to tell the Third World in a speech made in Philadelphia to try to emulate the American experience? I think that it was good to take the initiative in bringing some realism into this debate with the Third World, between the North and the South. Otherwise, you leave the initiative to those who say, why don't you distribute the wealth of the world in a new, international economic order—which isn't going to happen and then everybody gets frustrated. The answer to Third World problems is not solely confined to distribution of wealth. It's to be found in the creation of wealth in those countries. This is an important message to get into the debate. It's not the only answer, of course, but it is an important part of the debate.

In this search for development, some countries seem to have succeeded and some haven't, and there must be some answers in the differences.

Some, in an effort to change the balance of wealth, turn to politics and political threats as weapons. Political demagoguery arouses the hostility of the masses against the great Satan. Some offer simplistic solutions of turnover of resources. These advocates apply all the higher forms of hypocrisy as they criticize us, yet turn a blind eye at the way our adversaries in the world ignore and exploit them.

They do not admit the degree of assistance that comes from the affluent West. The criticism is that America is 15th among the world's developed nations in its rate of contribution, and that the US is

only spending a few hundredths of one percent of its GNP on this kind of assistance—ignoring the fact that Soviet assistance is entirely military to their friends, and its economic assistance is infinitesimal.

Indeed, subtracting Cuba, North Korea, and Vietnam there is almost no Soviet assistance to the Third World at all.

The Soviets said that they didn't want to come to the Cancun meeting because they said the problems of the Third World are a result of capitalist exploitation. So there are no contributions from the Soviets on ways to increase the wealth of the Third World. They'll just wait until it turns to socialism.

These political attacks on the United States are combined with what one might call the sabotage of some of the institutions which these countries say produced the present disparity between the poverty of the Third World and the wealth of the developed world, especially America. The various international institutions, multi-

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national corporations, or international bodies are attacked and sabotaged for hypocritical reasons. The World Health Organization, UNESCO and others are the scene of criticism of the developed world and its allies and its friends around the world, rather than vehicles used intelligently to bring benefit to the poor world.

America was forced to retire some years ago in simple self-respect from the International Labor Organization because we were so criticized there despite our great free trade unions. Those forums today see an increase in this kind of rhetoric, instead of calls to improve the structures and the free institutions of the deprived parts of the world.

Now some of these nations—and this is where our national security is very directly involved in the most traditional way—turn to concepts of violence: Either that carefully targeted, narrow violence we refer to as terrorism, with small groups aiming at the choke points of this delicately tuned Western civilization, or the broader crowd turmoil and excitement that we've seen on our TVs, as the world is led to denounce the great Satan for every kind of problem that some local demagogue finds impeding his road to power.

Iran, for example, is going through a spiral downwards, a gradual increase in

anarchy. This will continue for an indeterminate period—I'd say another year or two. Eventually, as it really comes apart and the economy runs down and the unemployment goes higher and the country just isn't working, a group of colonels (there are few generals left, they shot most of them) will reach in and say, enough. We've got to get some discipline back into the situation. And we will see the rise of some kind of authoritarian leadership, probably talking about being modern Islamic rather than antiquarian Islamic. It may occur after the Ayatollah Khomeini passes away to his reward.

In a way, Pakistan is an example. Pakistan got itself into quite a turmoil, politically. Eventually the military moved in to try to assert some discipline, and used the tenets of Islam as part of their appeal for discipline to stop the kind of anarchy that they saw ahead of them.

#### A New Dimension in Security Threats

We must recognize that there is a very new dimension coming to the kinds of national security threats that we face. In previous years great power was only possessed by a few nations—those which had a large population base and a large economic base upon which great power could be built. But science and technology have changed this in recent years, and are producing great power in small packages. Some of those packages are nuclear, some chemical, and some are biological. These small packages are threatening to proliferate into the hands of reckless despots or leaders who not only would be willing to threaten but even, potentially, to use that kind of great power to secure a change in the balance of resources in the world, and in order to carry on their attacks against the great Satan that they see as the source of all their problems.

From these problems of the Third World, there is a very definite threat to our national security. If we had a hostile army on ships off our shores threatening to invade our country, our entire armed forces would be alert, our police forces would be active, and our nation would be contributing to the defense of our country. Well, there is an invasion of our country in progress. Something like a million people a year "invade" this country. This is not a hostile army, but it is a result of these kinds of sociological problems in the Third World. Illegal immigrants from Mexico, the Caribbean, and elsewhere are coming into the US by the millions. They represent in this generation exactly the experience of our forefathers in earlier years. They came to this country to seek a new life away from the deprivation and frustrations of the potato famine in Ireland or the hopeless futures that they faced in Scandinavia, Italy, Greece, or the Ukraine. All of these people came to this country seeking a better life for themselves and their families.

These same kinds of people are coming

now, outside the immigration system. The problem is that we have gone through a similar invasion in more recent years, which compares to the kind of invasion we are facing today.

In the 1920s the rural poor of our South, facing frustration in the future that lay before them, moved to our northern cities in a huge migration. Now, these were the people who were deprived; who were put upon in their local areas. These were the people with enough gumption, enough get up and go, to move out of the South to the Detroit, the Washington, and the New Yorks, throughout the North and Northeast.

That was a racial migration. And the racism in American life never adapted to that change. We allowed ghettos to form in these northern communities and tensions to rise as a result of that racism and those ghettos.

If we look at the migration going on today we see more ghettos arising. We see the separation in our communities. We

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don't see the degree of integration that accompanied the arrival of the Western Europeans among their relatives and friends in the earlier years. We see a culturally, frequently racially, and certainly linguistically distinct group moving into this country.

We are already seeing the strains and pressures that this is putting upon our urban communities in a variety of areas, not just in California and the Southwest, but in Texas, in Florida, and up through the central part of the United States, as well as New York.

Now, I'm not saying that this is all bad because, again, I say these are very good people. They're the ones that have the spark. They want to go and do something new, to better their lives. But it certainly is an invasion and it certainly has in it the potential for the kind of social tension and social strain that we experienced in that earlier migration in the 1920s and '30s. We handled that one so badly that its costs have almost been infinite; both socially, and in terms of agony among our people. And we still haven't solved the problems that resulted from that particular invasion, today.

Immigration is a very serious problem. It's not going to be stopped by a barbed wire fence. We can talk about immigration controls all we want. And these people will come through them. What's the solution then? If we put up the barbed



**NATIONAL SECURITY...Continued**

wire, we're going to have an awful time with Mexico. They, with quite a bit of good reason, have some doubts about the way we've treated them over the last century and a half. We stole half their

country, let's face it. And some say this is their vehicle for getting it back. But I think it's a little more complicated than that. The answer has got to be jobs in Mexico, and again this is a difficult problem. Although the Mexicans have run into a high degree of capital recently with oil, they have spent a considerable degree of that capital on such things as petrochemical plants, which will employ only a couple of hundred people, or a steel mill which will employ only a couple of hundred people.

Now, if this is the kind of invasion we face, then are we going to solve it by armies? Are we going to solve it by stopping ships in the Caribbean and herding them back to Haiti?

I don't think so. The capacity of these good people with this kind of spark to get through those kinds of barriers is, again, as infinite as it was for those earlier settlers here, who came across in other leaky boats into this nation, and faced the dangers that they faced.

I think that we have to look more broadly. This is a sociological threat to our national security, and it ranks with the threats to our national security that we see in our diplomatic, military, economic, and political relations with other countries. The sociological threat arises from the world of difference between the affluent and the poverty stricken.

This is the most proximate national threat that we face. As we look at the kinds of problems that we see from the military threats, certainly we have to improve our national security. Certainly we have to improve our armed forces. I think we have to be very careful, however, before we identify every threat and every problem as only the emanation of something directed and run from Moscow. Indeed, some of the activities that threaten our country certainly are Moscow controlled; for example, the activity of the Soviet diplomats, and the activity of the Soviet intelligence services with their disinformation campaigns designed to denounce our American efforts to make friends around the world. There are other Moscow-run operations, perhaps not directly run, but through their proxies—be they Cubans, Libyans, East Germans, or Yemeni, who carry on the work of the Soviets in the Third World—to stretch into these areas and try to create damage to our friends, and advantage to Moscow's friends.

We also see a very conscious effort by the Soviet Union to look for situations which they can exploit, even though they may not have produced or formed them.

**What we need for our national security is not offensive tanks, but the kind of antitank and tank defense weapon that our technology can produce, that can kill tanks but not require us to have the same kind of weapon the Soviets have.**

They protest, "Look, Ma, no hands," and yet move into some situation that offers the chance of exploitation. We see the Soviets filling vacuums in these kinds of situations in Libya, in Ethiopia, in Central America. This kind of threat is not a military threat but it is a more subtle threat that we must attend to.

#### **The Need to Refocus Our Sights**

Now, what is our response to this kind of a world in which we're going to be living? We have to look and realize that this is the world we live in. We can't be "Pollyanna-ish" and we shouldn't be totally fearful. We shouldn't give up the game, but we shouldn't focus our attention only on certain aspects of the threat that lies before us.

Certainly we need to focus on the military danger and the nuclear danger as well. But equally well, our American imagination should be able to produce a David-like slingshot to handle a ponderous Goliath facing us. The worst prospect for our country's national security in the years ahead could be the construction of a huge, cement-and-steel Maginot line which a future enemy could envelop and make totally useless, as the Germans did with that huge investment France made in its military security in the 1920s and '30s.

We have to see what the appropriate weapons are. If the Soviets do have 50,000 tanks in their inventory and a good 16,000 or 17,000 of them in Eastern Europe, do we need to match them? I say no. We are not planning a charge across the steppes of Russia to attack Moscow.

What we need for our national security is not offensive tanks but the kind of antitank and tank defense weapon that our technology can produce, that can kill tanks but not require us to have the same kind of weapon the Soviets have.

If the Soviets have several hundred attack submarines, do we need the same number? No, because we're not going to attack the Soviet sea lanes. We need some attack submarines for action between fleets. But our objective is to get our convoys to Europe and Japan. And for that, we need effective antisubmarine warfare, which requires a totally different kind of weapons system. We must not be misled into feeling that if the Soviets have x-number of submarines, we have to have 2x or we are doomed to defeat.

If another country spends 15% of its GNP on its military forces, must we spend 15% of our GNP on our military forces? Or can we ask our people to be more imaginative, to get a more effective weapons

system out of a smaller expenditure. If the Soviets want to spend large sums on air defense and things of this nature, which our computations show cannot really be effective for the purpose they're designed, do

we have to spend equally large sums on weapons systems which won't be equally effective or cost-efficient?

I think we have to look at these weapons systems to choose which are effective for our purposes and not be led into a blind attempt to copy everything our Soviet adversaries might present.

In the political field, the political threat that we see around us, and the attack on our alliances, is part of our national security too. We need to spend some time worrying about our alliances and how we relate to our alliance partners. Ambassador Robert W. Komer has done some very imaginative work on how coalitions and alliances should work together so they can match each other's contribution, and not feel that an alliance has to be a disciplined military force, following the orders of the alliance leader. It can be something more Western, more democratic, if you will, in its relationships as it faces the problems that it sees. It doesn't have to have absolute answers for every question, but can go through the process of consultation, cooperation, and collaboration.

We do have to see the internal dimensions of the political threat that arises within the countries that we are friendly with. The Shah of Iran was overthrown not by a Soviet force, but by internal forces. There are hostile internal forces loose throughout the world. We need to identify the nature of those forces and how we can work with, and sometimes against, such forces for our national security. Because people clothe themselves in the cloak of religion doesn't mean that we have to respect them, no matter what they do, no matter how many executions they carry out, on behalf of that religion. We have to be able to identify those political dangers and work with our friends, work with those countries to contain those threats, not only to their security but to our security.

Another country that now looms as a political question mark is Egypt. Does the new government of Egypt have a chance of continuing the kind of national support that President Sadat had? Will it stick to the Camp David peace agreements after next April, when it's supposed to get the rest of the Sinai back?

The chances of President Mubarak succeeding and maintaining himself in power are quite good, not absolute, but quite good. It depends largely upon the army. He comes out of the military—the air force—and the chances of his retaining the

control of the military and therefore remaining in power are quite good. Curiously, popular support is secondary to control of the army, because this is not a country that operates on the basis of a wide open election every four years. It's a country in which power has been concentrated for the last 20 or 30 years and where the leaders of the government use the organs of government to continue to get support or at least acquiescence of the people.

President Sadat wasn't all that popular among fairly substantial groups of the people. So be it. He was in power, and in some of these countries that's the key, because they run their countries differently than we do, and that's just a fact of life.

As to whether they'll stick to Camp David, I think the real question will be whether they *can*. The problem will be that in order to stay in power and to stay in some kind of relationship with his [Mubarak's] Arab colleagues, there has to be some movement on the Palestinian issue. It doesn't have to be solved—you're never going to solve it totally but there has to be forward movement on it.

I think that the forward movement will depend in great part on the Israelis, and in the Israeli government you have some very hard-line people in a very strong position at the moment. Thus it's very difficult as to just how far they think they can go in terms of further steps toward resolving the Palestinian issue.

An early test will be whether they go through with the turnover of the rest of the Sinai, and I would guess that they probably will. But then the issue of further progress on the Palestinian negotiations will be the main subject of our concerns next spring.

In the economic field, we have to use, imaginatively, some of the international institutions to solve some of the threats to our national security; be they threats of energy or inflation. The International Monetary Fund, the General Agreement on Tariffs & Trade, the Organization for Economic Cooperation and Development must focus on these economic threats to the security of all of us, keeping the international economic system moving ahead and solving the problems before it.

Will we help countries which are not in our direct economic interest? I think we've done quite a lot of that in helping countries where we don't get any particular benefit other than that country's assuming a general role in the world economy. We've certainly helped in the work of the Peace Corps and some other programs in areas which really sometimes are quite hostile to us in our political, and even economic, relationships. We haven't rushed over to help anyone who says he's our enemy. And I don't think we should. But on the other hand, I don't think we've demanded cash on the barrel-

head from these countries in terms of our help.

In the sociological area, which I think is the most important, there are tactics and techniques to solve these problems. We can use our influence and bring out the facts of our experience toward developing solutions and reduce the level of

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frustration and provide the hope of better solutions. As we look at these dangers, we have the chance to point out that there are some parts of the world that have made progress in solving these sociological problems.

One area of the world, with no natural resources whatsoever except a disciplined and vigorous people, has arisen from absolutely flat on its face a mere 30 years ago to the second largest economy in the world today—Japan. There is a secret here in the way they've organized themselves, produced the discipline to expend that effort.

Neighboring China spent the last 30 years on a series of will-o'-the-wisp experiments. At the end of that 30-year period, they've gone back to basics. They're talking about simple things like pragmatism, and they've given up the great cultural revolutions and the "great leap forward" and all the rest. Because during the time that they were going off on those damago-

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gic approaches, the Japanese were making steady progress on a real level.

This lesson is not confined to that one example. As we look around the world we see success in some areas and failure in others. And there is a high coincidence between the ones which are successful, which have adopted a constitutional structure of government—not, say, purely democratic, but a basically constitutional, structure of political government. And they have adopted a concept of open enterprise on the economic side.

On the other hand, other nations very deliberately over these years have reached for panaceas for great, regimented socie-

ties politically, where there is total discipline and a very clear party line. And in the economic field, they have turned to doctrinaire solutions to the problems of development, management from the center under the national plan, and the periodic five-year plans. The contrast has become quite remarkable, not only between Japan and China but between North and South Korea, between Singapore and Burma, and between Hong Kong/Taiwan and the Mainland. It is also evident between other countries' right next to each other like Kenya and Tanzania and Tunisia and Algeria—despite the Algerian wealth in oil. You see it in western Africa between the Ivory Coast and Guinea. Even in the Western world, between countries like Colombia and Cuba (which is an economic disaster and would not exist if it were not for regular subvention and the excess prices paid by the Soviet Union for its sugar).

It has become more and more clear, that there is a difference in the way these countries have approached their sociological problems. Some seem to work and some seem to fail. Certainly there is a need for official development assistance. And this has been made available, as President Reagan has pointed out. There's no shame in America for the huge amounts of assistance that the US has provided in economic terms around the world and in the various programs of bilateral and multilateral support. There is a need for this kind of official assistance to the least developed and the most seriously affected nations which cannot pick themselves up alone. There is also a need for public funds to provide the infrastructure, the roads, and the ports, upon which the other efforts of development can then begin to build. But this is not enough.

There must also be a possibility of real development. And this must be found in the private sector, in the area of investment. It is popular to look back on the period of United Fruit and ITT and the US Marines in the Dominican Republic and in Haiti. But there is a new situation in the world today and it is important to recognize it. The world has developed codes of conduct between the nations of the world and for the corporations of the world. There are codes of conduct for the way in which corporations will handle themselves in the less developed world. We have imposed codes upon our business leaders so that we can provide the benefits of that kind of capital movement and yet draw back from the "bad" stories that characterized the past.

And the United States knows the bad stories. We know the role of the railroad magnates in the early development of our country and the great trusts that exploited our people. And we enacted the various corrective codes in the antitrust laws to control these great monopolies.



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**A North Korean Scare**

In the days following Poland's declaration of martial law, the Pentagon took precautions against trouble that seemed to be brewing on the other side of the world. It all began when U.S. intelligence analysts noticed that North Korea's winter military exercises were much more extensive than usual, with more civilian participation and a large-scale conversion of the country's transportation system to military use. Some analysts feared that the Kim Il Sung regime might be planning an attack on South Korea while the United States was preoccupied with Poland. The U.S. carrier Midway, which had just unloaded ammunition to prepare for dry dock at a Japanese port, was ordered to rearm in a hurry. The flattop then went back to sea, heading for Korea with two escort ships. The North Korean maneuvers ended peacefully, but Washington has requested a meeting of an international armistice commission to seek North Korea's explanation for the unusual exercises.

**A Spare-Parts Package for Taiwan**

The Reagan Administration has reached its first decision on the sale of arms to Taiwan—a controversial issue even within the Administration. Congress will soon be asked to approve a \$97 million package that would offer the Taiwanese no new weapons; it would consist entirely of spare parts and replacements for the U.S.-made planes and armor already in Taiwan's possession. U.S. officials expect the Chinese to protest strongly, just to show what a fuss they would raise if President Reagan ever decides to sell more sophisticated weapons to Taiwan. In fact, some Congressional sources suspect that the Administration officials behind the Taiwan deal are the same ones who oppose selling the Taiwanese the advanced FX fighter plane—and who hope that howls from Peking over the spare-parts package might cause the White House to drop the FX sale.

**NATIONAL SECURITY...Continued**

That same process is going on as we face the less developed world. It is very important to recognize the contribution that this kind of approach can produce. As we look at the comparison between the three areas of the world—Asia, Africa, and Latin America—and compare the amounts of total capital flow into those areas, we see that in Asia and in Africa there has been roughly two dollars of official funds moved for development into those areas for every dollar of private money. And that's a recognition that it is essential to help those countries get out of the situation they've been in.

But in Latin America we find a rather phenomenal difference. In Latin America for the last many years, the contrast has been quite the opposite. It has been \$1 of official to something like \$10 of private capital moving. That capital movement into Latin America has also exceeded the sums moving into the other regions of the world. If a key to development is the movement of capital (and it is one of the keys); the training of local people; and the raising of standards of health, education, and life expectancy—you will find that in figures issued by the World Bank, the Latin American example has been more successful than the other two.

I think the question of helping to modernize a country that doesn't want to be modernized is not going to be an issue. I don't think the Americans are going to force modernization on anybody. The big experiences of forced modernization in the world in recent years were in Turkey, Japan, Iran, and other areas. These were indigenous drives by strong leaders who forced modernization.

Now, one can say that the American example and the dominance of international media by the American image compel people along this direction, but I think what really compels them is better

health, better education, better lives, better food, better TV sets, or whatever for their people. That's the driving force, not what the American people or government decide to do about a country. If a country wants to opt out of the world, stop-the-world-I-want-to-get-off, fine. It's all right with us.

As we face these sociological problems and threats, we must recognize that competition in the Third World is not solely a competition between ourselves and the Soviet Union. This certainly occurs, but there also is a competition for our friends and our friendship. Other competition can destroy our connections: It can create the kind of hostility that we have seen developing in some parts of the world.

A vigorous, positive program of development can, instead, seize the initiative in the world today. Instead of thinking of matching the Soviet threat we must think in terms of overcoming the sociological threat. We must show solutions to the sociological dangers and threats that exist. We must attract the peoples of these parts of the world to cooperate in meeting those sociological threats. We must generate cooperation so that we can move in the best of alliances against the ancient problems of poverty and disease and misery that we see around us.

This is the strategy that can really lead us to success, not only for our national security but to the kind of success that really represents what America means to most of the world.

I like to judge countries by whether refugees move toward them or away from them. On that standard, despite all the rhetoric you hear attacking America, America still represents the real hope of the world. It's up to us to take that hope and put something solid into it. If we put that kind of solid cooperation into our

**I like to judge countries by whether refugees move toward them or away from them. On that standard, despite all the rhetoric you hear attacking America, America still represents the real hope of the world.**

relationship with three-quarters of earth's humanity, we can, indeed, take the initiative. And we won't have to meet the Soviet challenge or defend ourselves against it. We can create a situation in which the Soviets become irrelevant to the real problems the world faces. They will be pushed off the stage. We must still be concerned about their military force and their potential to lash out as they see the decline of their ideological pretensions and their hopes for empire. But we can see a strengthening of the world as a whole against these problems ahead. Take the Chinese, for example. They don't like the Soviets. The Soviets have been really very imaginative in how they've messed up their relationships with the Chinese over the years. They've just been masterful and I think we can probably count on their continuing to do so, because William Randolph Hearst's view of the "Yellow Peril" is about the average Moscow citizen's view of it. He had Genghis Khan, so maybe he had some basis.

All it takes is our imagination, and our energies, put in the right direction—in the direction of solving the real threats to our national security in the years ahead. ■ ★ ■

*Note: This article is adapted from a speech made by Mr. Colby at George Mason University on October 22, 1981.*

NEW YORK POST 7 January 1982 Pg. 4

# RON WANTS 18% BOOST FOR PENTAGON

By NILES LATHEM  
N.Y. Post Correspondent  
WASHINGTON

President Reagan yesterday prepared to submit a new budget that calls for a whopping 18 per cent increase for the Pentagon and a drastic \$30 billion cut in domestic spending. The Post has learned.

White House and Congressional sources said last night that the Administration has almost completed the new domestic program that Reagan will offer to Congress in his State of

the Union address Jan. 25.

The Administration's new goal in its war on inflation and high interest rates, officials say, is to hold runaway budget deficits to about \$70 billion next year and about \$55 billion for 1984.

Deficits are now projected to be about \$152 billion in fiscal 1983 — without new cuts.

White House spokesman Larry Speakes told reporters yesterday that the President plans to hold a series of

meetings with his Cabinet and top level economic advisers later this week and will probably complete the budget by Thursday.

Although the package is still incomplete, sources said highlights include:

- An 18 per cent increase in Pentagon spending, putting its funding levels at a record \$215 billion next year.

- An \$11.5 billion cut in social programs, including Medicaid and Medicare. However, So-

cial Security will be untouched.

- A \$22 billion package of new revenues — a plan already outlined by the President on television late last year. Several of Reagan's top advisers are urging him to seek even more tax increases but officials say Reagan continues to resist such proposals.

- Major new overhauls of the method whereby the federal government distributes aid to states and cities.

- Cutting back on food stamps and school lunch and breakfast programs.

- A major effort to get the Kemp-Garcia enterprise zone bill

through Congress this year.

The bill, first proposed by New York Congressmen Jack Kemp and Robert Garcia and embraced by Reagan during the campaign, offers a series of special tax incentives to encourage businesses to relocate and hire residents in depressed urban areas such as the South Bronx.

Kemp told The Post last night that the White House bill is "weaker," than the one he proposed. But he expects changes to be made by the time the proposal is sent to Congress.

NEW YORK TIMES 7 JANUARY 1982 Pg. 27

## Mideast Policy

By Jacob K. Javits

There is a clear line of policy to be pursued by the United States in the Middle East — a line that has been reaffirmed by President Reagan and the Congress, that is contained in the Camp David accords of 1978, in United Nations Resolutions 242 and 338, upon which the accords are structured, and in the Egypt-Israel peace treaty, by which the accords are being implemented.

The alternative, which we as a nation rejected, was to join the call of certain Arab states and even some West European allies for an overall peace conference at Geneva. If we had adopted this alternative, the whole peace process would have failed in a welter of propaganda and confusion. Egypt would not have had a chance to sign a peace treaty because of the stubborn hostility of so much of the Arab world, and America would not have been able to emerge as the main leader in promoting Middle East peace.

We are being tested, however, by the Arab states, which have opposed the Camp David accords and whose oil supplies are vital to Western Europe and Japan and very important, as well, to the United States; by some leaders in West Europe who still hanker for Geneva; and, most recently, by Israel itself.

Israel's unilateral action in annexing the Golan Heights — a step it considered essential to its own security — produced the United States' support for the United Nations Security Council resolution al-

legizing the "illegality" of the annexation, which in turn led both to an aggrieved Israeli rebuttal to that support and a note of discord with American policy.

Even more perils are added when we hear warnings that debate on these issues by Americans, including Jews, deeply concerned with United States and Israeli security threaten to encourage anti-Semitism in the United States. This notwithstanding, the fact is that Americans, including Jews, have not only a constitutional right but also a duty to express their views on issues of such gravity to our country's security and to endeavor to persuade other Americans. We would have thought that Nazi genocide had put an end to speaking too softly or not speaking at all on such matters.

Obviously, America must neither apologize for rejecting the Geneva approach nor lack assurance in working for the Camp David accords; nor must the friends of Israel. Very delicate and portentous negotiations are now being conducted among the United States, four of our West European allies — Britain, France, Italy, and the Netherlands — and Israel concerning the makeup of the international peacekeeping force that must come into existence with Israel's final withdrawal from Sinai. If these negotiations succeed, it will help give a new impetus to the Camp David peace process and the prospects for renewed progress on Middle East peace. If these negotiations founder, the central achievement of the Camp David accords — the Egypt-Israel peace treaty — could be placed in doubt, for a failure properly to resolve the issue of the international peacekeeping force could affect Israel's final withdrawal from Sinai in April.

In particular, it is important that our four West European allies should cooperate without seeking to turn America away from Camp David. Any American association, explicit or tacit, with

statements by the Europeans that are substantially incompatible with the accords would cloud our own position of steadfastness and fidelity to them. This could undermine progress in the resumed autonomy talks concerning the West Bank and Gaza, which must continue. It would be fruitless to pretend that there are not important differences of perspective and even of important national interests involved.

For Europe, dependent on Persian Gulf oil — and desirous of, and dependent on, détente in Europe — war in the Middle East must be avoided, for all hope of successful détente is likely to be an early casualty, ending Western Europe's confidence in the future of any arms-limitation talks.

For Israel, the issue is, starkly and simply, its very national existence. For Egypt, fidelity to the Camp David accords provides the hope for continuing, under President Hosni Mubarak, Anwar el-Sadat's brilliant peace initiative, with the next step being reconstruction of Egypt's economy and private enterprise. And certainly for America, and for the Reagan Administration, there can be no underestimating the importance of avoiding a breakdown of the Camp David accords over participation in Sinai peacekeeping.

Given our North Atlantic Treaty Organization relationship with Britain, France, Italy, and the Netherlands, our prospective "strategic alliance" with Israel, and our contractual role as a full partner in the Camp David accords, the United States must maintain the lead and the momentum of this peace process as its best Middle East policy.

Jacob K. Javits, Republican of New York, served from 1957 to 1980 in the United States Senate, where he was a member of the Foreign Relations Committee.

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NEW YORK TIMES

1 JANUARY 1982

STATINTL

## Colby to Pay C.I.A. \$10,000, Settling Dispute

WASHINGTON, Dec. 31 (AP) — William E. Colby, former Director of Central Intelligence, has agreed to pay \$10,000 to the Government to avoid being sued for breaking a secrecy agreement involving a book about the Central Intelligence Agency, the Justice Department announced today.

The \$10,000, Mr. Colby said, is approximately what was earned by the French edition of his 1978 memoir, "Honorable Men: My Life in the C.I.A."

Mr. Colby, in accordance with his secrecy agreement with the intelligence agency, submitted the manuscript to it for clearance. A number of changes and deletions were requested, which Mr. Colby made for the English-language edition.

### Uncensored Manuscript in French

In the meantime, however, Mr. Colby's publisher, Simon & Schuster, had sent the uncensored manuscript to a French publisher, which published it.

The C.I.A. did nothing about the matter until this year, when it asked the Justice Department to consider litigation against Mr. Colby. By paying the \$10,000, the former Director avoided a lawsuit, the department said. Under the law, the Government can confiscate the royalties earned by an author who breaks a secrecy agreement.

Mr. Colby, reached at his Washington law office, said he did not mind paying

the \$10,000 because he agreed with the need to tighten up the agency's security against disclosure of classified information.

"I have no problem in helping in the process of tightening up," he said. "If it requires a contribution from me, so be it. It's for a good cause."

### Second Step by Administration

The action against Mr. Colby was the second public step the Reagan Administration has taken in its effort to "tighten up."

Earlier this year, the Justice Department revoked a set of guidelines published by the Carter administration. Those guidelines restricted the circumstances under which the Government would sue a former official for breach of secrecy.

The old guidelines stated that the breach of secrecy had to involve a substantial compromise of the national interest. By revoking those rules, the current Administration has left itself the option to sue for any transgression.

The French edition of Mr. Colby's book disclosed that a C.I.A. spy ship, Glomar Explorer, whose existence had been previously known, had failed to recover nuclear missiles, steering or transmission devices or codes from a sunken Soviet submarine in the Pacific Ocean. That disclosure did not appear in the English edition.



The New York Times

William E. Colby

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ON PAGE A-13

BALTIMORE SUN  
1 JANUARY 1982

## Ex-CIA director to forfeit part of book profits

By Walter Taylor  
Washington Bureau of The Sun

Washington—A former CIA director, William E. Colby, has agreed to forfeit \$10,000 of the profits from the unauthorized publication of a book about his days with the agency to the government, the Justice Department announced yesterday.

The out-of-court settlement was the first case of its kind since an announced Reagan administration crackdown on unapproved disclosures by former and current government employees.

Administration sources indicated that the Colby case was intended as an example of the Justice Department's willingness to pursue its new get-tough policy to the highest levels of government, even in cases where no serious breach is alleged.

According to the Justice Department announcement in the case, Mr. Colby violated a secrecy agreement required of all Central Intelligence Agency employees by causing the dissemination of a manuscript of his agency memoirs without pre-publication screening by the government.

The statement said Mr. Colby sent the manuscript simultaneously to the CIA for screening and to his publisher, Simon and Schuster. Although Mr. Colby made clear to the publisher that the book would have to be subject to any CIA-ordered changes, the company distributed the manuscript to a French publisher, according to the statement.

Assistant Attorney General J. Paul McGrath, who heads the department's civil division, said it was the CIA's view that this dissemination constituted a breach of Mr. Colby's obligation to the government and recommended litigation against the former CIA chief.

Neither Mr. Colby nor his attorney, Mitchell Rogovin, was available immediately for comment.

Mr. Colby, however, signed the settlement agreement, acknowledging the violation. Copies of the agreement were released by the Justice Department.

Under its terms, Mr. Colby is to pay the government \$10,000, which knowledgeable sources said represented the approximate proceeds from overseas sales of the memoirs. Mr. Colby also agreed to submit any further writings about the CIA to government censors prior to publication.

For its part, the government agreed to drop any further legal action against the former intelligence director.

By comparison, the government, during the Carter administration, sought and won federal court approval to seize all the royalties from a book critical of the CIA written by a former agent, Frank W. Snapp III. In the Snapp case, the manuscript was not submitted for CIA censorship.

The government's authority to go after the proceeds from such unauthorized writings was upheld by the Supreme Court. The Carter administration, however, established guidelines that limited instances in which this power would be used, weighing, among other things, whether information disclosed was classified or potentially harmful to U.S. security.

Earlier this year, Attorney General William French Smith announced that the Reagan administration was scrapping those rules and would seek to restrict all improper disclosures by current or former government employees, even in instances in which no explicit vow of secrecy or serious security breach were involved.

## Former CIA Chief Settles Dispute on Book Secrecy

By Mary Thornton  
Washington Post Staff Writer

Former CIA director William Colby has agreed to pay the government \$10,000 to settle a dispute over whether he violated his secrecy agreement by publishing a book without CIA approval, the Justice Department said yesterday.

Colby's payment of \$10,000 and pledge in the future to obey the CIA secrecy agreements he signed in 1950 and 1958 is a "full and complete settlement" of the dispute arising from the 1977 publication of "Honorable Men: My Life in the CIA."

Deputy Attorney General Edward Schmults said the settlement between Colby and the department's civil division was reached Dec. 28.

Schmults said the secrecy agreements required Colby, as a former employee, to seek approval from the CIA before publication of any classified information.

The settlement said that although Colby's publisher, Simon and Schuster, received the manuscript with the understanding that publication was subject to CIA review, the publisher distributed copies to a French publisher before certain sensitive passages could be deleted by the CIA.

Assistant Attorney General J. Paul McGrath, head of the civil division, said yesterday that the CIA considered Colby's publication arrangement "a breach of Colby's [secrecy] obligation." He said the CIA had referred the matter to the Justice Department, asking that a lawsuit against Colby be considered.

The settlement agreement binds Colby to his original promises "not to publish or participate in the publication of any information or material relating to the agency, its activities or intelligence activities generally" without agency approval.

The government contends that all CIA employees and former employees are bound by such agreements.

Colby, who has been a vocal critic of former CIA agents in recent years for publishing information about



WILLIAM COLBY  
... must pay government \$10,000

CIA activities without clearance from the agency.

The Supreme Court, in a landmark decision, upheld a government charge that former agent Frank Snepp violated his position of trust when he published a book about the U.S. withdrawal from Vietnam without first obtaining approval from the CIA.

Snepp was ordered to turn over to the government \$140,000 in profits from the book, "Decent Interval."



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ON PAGE 68

THE WASHINGTONIAN  
January 1982

# No More Rat Race

And No More Office Hours, No More Traffic Jams—  
But If You Decide to Change Your Life, Be Prepared to  
Come to Terms with Your God, Your Spouse, and Yourself

By Les Whitten

Sometimes I feel these days like the only whole man at a reunion of the Eight Brigade. I have my arms and legs. My two eyes are patchless. My flesh, although I'm 53 and counting, is uncratered.

Around me are the comrades with whom I have made the Passage Perilous: once-celebrated reporters from the *Washington Star*—who are now graying and on the dole; PR men who served half a dozen administrations ably—now bro- ken, Reaganized, or retired on half-pay; pals from formerly well-funded do-good outfits—now scratching for consulting jobs. How could life have undone so many? Involuntary dropouts!

I spend my mornings at home. The house is mine—my calm, mortgageless king- dom. First, I do my back-strengthening exercises to repair disc muscles pulled by so much golf. My wife and son have left too feverishly to do their breakfast dishes. I do them.

I grind my coffee beans in my father's ancient electric grinder. He has been dead 20 years. Sometimes I talk to him as I make the coffee. Downstairs in my cellar office, I turn on one of three classical stations, hoping for Italians, happy with Richard Strauss. I ascertain from the business pages that my principal has been further depleted, but that my income is still shakily adequate. I write a letter or two, an agenda for the day.

Then to the main thing: my novel, which does not quite work yet; my trans- lations of Baudelaire (*Les Fleurs* nearly done); my own poems; an article; a re- view; a short story.

Other days, I golf with a son or friend, cycle with my wife in Vermont, have a long lunch at the Inn with a male crony dented by time or with some handsome woman I've liked

erty or Wintergreen or other one-day places; I ski on weekdays, when there are no lift lines. I go to California once a year to ski with my son the ski instruc- tor. In fall, when the weather is good and the tourists are gone, I go to Europe for a month, always spending part of it in Venice.

There are two drawbacks, two pay- ments for my happiness. My wife never wanted me to do this, and now, as she begins to flourish independently, she may not want this new me despite our better than 30 years together. And, because I have given up the shared byline with Jack Anderson that appeared in hundreds of newspapers, it is harder to sell my books.

But, overall, as a voluntary dropout I am happier than I have ever been in my life. I am content and terribly grateful to God, even though I am not sure He, She, It, or They is or are out there; I also know, and this qualification seems es- sential, that it may not last.

News was my provender until I dropped out. I realized I wasn't bad at it on the *Washington Post* in the late '50s and early '60s. Later, with Hearst, I did well. When Drew Pearson died, I became Jack An- derson's Jack Anderson. I never cheated Jack on time, doing my books on week- ends—cheating, if anyone, my family. In my early years with Jack, he once said to me:

"Why would a person want to be a second-rate novelist when he can be a first-rate reporter?" I was never good enough to be a first-rate reporter, though he was right about my being a second- rate novelist. "I don't know," I said. But I did know.

I had wanted to be a poet since I was 17. When I was 21 between my junior and senior years at Lehigh, I went to Paris and took my poems to Raymond Duncan's studio there. He was the brother of Isadora Duncan and given to wearing togas, sandals, long hair, and hair bands. He read my poems

in junior high school. I said I could.

"Okay," he said. "I've got a Cali- fornia box and some fonts, and you can set the poems and print them, and I'll teach you how to bind them. You can sell them in the cafés, or if nobody'll buy them, you can give them away."

Perhaps I should have stayed. Or per- haps not. In any case, I came home, finished school, and became a newsman, which is what I stayed for 27 years. All the while, on my own time, I was writ- ing: unsuccessful poems, moderately successful short stories, fairly successful novels—and then, in 1976, a very suc- cessful novel.

When *Conflict of Interest* sold to a paperback publisher for \$360,000, of which I got half, and the advance for *Sometimes a Hero*, my subsequent novel, netted me \$75,000, I knew I could start selling poems in cafés.

The way I added it up was that, barring investment disasters, the book money plus what my frugal wife and I had saved would let me live without being a salar- ied worker anymore.

In the summer of 1977, I went to a convention of Investigative Reporters and Editors, a group Jack and I had helped found and which I had named. Its ac- ronym is IRE. Those hundreds of eager- eyed young reporters made me think that there were Les Whittens all over the place for Jack to enlist if he wanted to.

On the plane back to Washington, I sug- gested to Jack that maybe he ought to groom somebody else as his number-one man in case I burned out. But he didn't understand or didn't want to. Then, in October of that year, I asked him to lunch. We went to Trader Vic's, his turf.

Now here I was with a man I loved and respected; whose good opinion I val- ued greatly; a man who had given me an important and widely circulated column in America.

He had anointed me as his heir, be- cause of him I was writing...

AIC  
(American Investment Council)  
January 1982



# Future Forecasts: 1982-1983

(11) Sometime within the next 10 months, it will be announced that a Soviet spy ring has been operating at the highest level of the U.S. Government. The traitors will include the long-rumored 'mole' in the CIA (who will turn out to have been a key aide to former Director William Colby)...at least one member of the Carter White House...and others in the Departments of Justice, Defense, and State. The first break in this case came from a high level defector within the Romanian Embassy and it is now fast unraveling.

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STATINTL

## THE FREEDOM OF INFORMATION ACT AND THE INTELLIGENCE AGENCIES

STATINTL

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**Abstract**—The author challenges the claims of intelligence agency officials for exempting their agencies' files from the FOIA. Noting that the FOIA's mandatory search and disclosure provision alone permits access to the range of intelligence agency files, the author cites the separate filing and "compartmentalized" records policies of the CIA and the FBI. He concludes by challenging the adequacy of congressional oversight without independent historical research.

Since 1979, one of the principal legislative objectives of the Federal Bureau of Investigation (FBI) and of the Central Intelligence Agency (CIA) has been to exempt their files from the mandatory search and disclosure provisions of the Freedom of Information Act (FOIA) of 1966, as amended [1]. These agencies' claims to the contrary, there is no record to date that legitimate national secrets have been compromised because of the FOIA. This is not surprising since the Act already contains a "national security" exception which exempts properly classified FBI and CIA files from public disclosure. The FBI's and the CIA's proposed FOIA exemptive measures, however, would effectively preempt scholarly research into the past history of the FBI and the CIA at a time when such research can only now be initiated.

Until the mid-1970s, because CIA and FBI files were absolutely classified, scholarly research into the history of these agencies was virtually impossible. Unlike journalists, historians and political scientists need to have access to primary source materials—interviews, press conferences, public testimony, and selectively leaked documents clearly do not meet the exacting standards of scholarly research. Yet, for example, all FBI files dating from the World War I period were classified, including those documenting the FBI's August 1923 investigation of the fraudulent Zinoviev Instructions. In addition, in the early 1960s, FBI officials successfully pressured the National Archives to withdraw from Department of Justice and American Protective League files deposited at the Archives all documents and copies of documents pertaining to FBI investigations of the World War I period [2].

The problem is not simply over- and indiscriminate-classification. Were that the case, then these proposed amendments to the FOIA would not cripple historical research. Under Executive Order 12065 (and formerly E.O. 11652), historians can submit mandatory review requests to obtain declassification of improperly and no longer justifiably classified documents. Yet, to employ the mandatory review procedure, the researcher must be able to identify specific classified documents and be generally aware of particular programs and activities. As a result of the Senate Select Committee on Intelligence Activities' hearings and reports, however, we now know how limited, even irrelevant, had been our knowledge of past FBI and CIA activities. Experts of the Cold War years might have been aware generally of the preventive detention program instituted under the McCarran (Internal Security) Act of 1950 and lasting until congressional repeal in September 1971. We now know that, without

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